



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

(707) 428-2002

www.wildlife.ca.gov

GAVIN NEWSOM, Governor

CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

Mar 02 2021

March 1, 2021

STATE CLEARINGHOUSE

Ms. Erika Carpenter
University of California, Santa Cruz
1156 High Street, Barn G
Santa Cruz, CA 95064
eircomment@ucsc.edu

Subject: UC Santa Cruz Long Range Development Plan, Draft Environmental Impact Report, SCH No. 2020029086, City and County of Santa Cruz

Dear Ms. Carpenter:

The California Department of Fish and Wildlife (CDFW) has reviewed the draft Environmental Impact Report (EIR) prepared by the University of California, Santa Cruz for the UC Santa Cruz Long Range Development Plan (Project) located in Santa Cruz County. CDFW is submitting comments on the draft EIR regarding potentially significant impacts to fish and wildlife resources associated with the Project.

CDFW ROLE

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources (e.g., biological resources). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

Ms. Erika Carpenter
University of California, Santa Cruz
March 1, 2021
Page 2 of 5

Lake and Streambed Alteration Program

Notification is required, pursuant to CDFW's LSA Program (Fish and Game Code, section 1600 et. seq.) for any Project-related activities that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA (Public Resources Code section 21000 et seq.) as the responsible agency.

PROJECT DESCRIPTION AND LOCATION

The 2021 Long Range Development Plan (LRDP) would serve as the long-term planning document that guides physical campus growth through 2040 on two of the three UC Santa Cruz campus properties located in the City of Santa Cruz: (1) the UC Santa Cruz main residential campus and (2) the Westside Research Park, located at 2300 Delaware Avenue. Together, the main residential campus and Westside Research Park constitute the LRDP area or plan area for the 2021 LRDP. It does not address planning or growth on the third campus property, the Coastal Science Campus, which is governed by a separate Coastal LRDP (State Clearinghouse No. 2001112014). In addition, the LRDP area does not include the Scotts Valley Center, the Silicon Valley remote satellite campus, nor the UC Monterey Bay Education, Science, and Technology Center (MBEST), which was transferred to UC Santa Cruz by the U.S. Army and is located approximately 26 miles south of the main residential campus.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the University of California, Santa Cruz in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on biological resources.

COMMENT 1: Pertains to Section 3.10 Hydrology and Water Quality

Issue: This section addresses impacts that could occur in the immediate LRDP project footprint including overdraft and contamination of karst aquifer system. The karst aquifer underlies multiple local watersheds inclusive of the San Lorenzo River. This section does not address whether contamination or overdraft issues to karst aquifer could transmit outside of the immediate project footprint. The San Lorenzo River is a fully appropriated waterway and listed under Clean Water Act 303(d) list for several contaminants, temperature and sediment.

Ms. Erika Carpenter
University of California, Santa Cruz
March 1, 2021
Page 3 of 5

CDFW is working with the City of Santa Cruz and NOAA Fisheries on a Habitat Conservation Plan authorized under section 10(a)(1)(B) of the Federal Endangered Species Act. If this Habitat Conservation Plan is authorized, the City would agree to provide minimum bypass flows below their water diversions on the San Lorenzo River to protect Central California Coast Coho Salmon and Central California Coast steelhead trout.

Recommendation: CDFW recommends expanding the discussion already provided in Section 3.10 and addressing whether project could transmit hydrologic or water quality impacts to the San Lorenzo River, and if impacts to Coho Salmon and steelhead trout could result. The Project draft EIR should further address whether contaminants stemming from LDRP could enter the karst aquifer and be transmitted to the San Lorenzo River as remerging streamflow. CDFW also recommends the Project draft EIR consider whether drafting of groundwater by UC Santa Cruz from the karst aquifer could potentially impact streamflow in the San Lorenzo River.

COMMENT 2: Pertains to Section 3.17 Utilities and Service Systems

Issue: Pertains specifically to section 3.17-1: Impacts on Water Supply. The draft EIR brings up a serious sustainability issue that the city's water supplies are already inadequate to meet current service demand, and any UC Santa Cruz expansion will result in additional demand and take from the city's water system. There is a discussion of drought and critical dry year shortfalls in this section. This section does not address potential climate change impacts which may further impact city supply. The draft EIR brings up potential water prospecting projects that the city could specifically undertake to increase water supply, and potential environmental impacts, although the description and impacts presented do not appear to be comprehensive. Our agency is concerned that any prospecting for additional water will undoubtedly put strain on additional groundwater or surface water systems, and result in impacts to associated biological communities.

COMMENT 3: Mitigation Measure 3.5-2h: Conduct Focused Surveys for Monarch Overwintering Colonies and Implement Avoidance Measures

Issue: The draft EIR identifies that Project tree removal activities could impact monarch butterfly overwintering colonies or suitable overwintering habitat. Mitigation measure 3.5-2h proposes tree removal will be delayed until monarchs have left the areas, as determined by a qualified biologist. In addition, UC Santa Cruz will prepare and implement a site-specific plan for the monarch overwintering colony, following feasible recommendations from *Protecting California's Butterfly Groves Management Guidelines for Monarch Overwintering Habitat* (Xerces 2017). It is unclear from the Project draft EIR which recommendations would be considered feasible. Recommendations include replacing removed trees with native trees in strategic locations to provided additional wind protection.

Ms. Erika Carpenter
University of California, Santa Cruz
March 1, 2021
Page 4 of 5

CDFW is concerned loss of trees used by Monarchs for overwintering will contribute to extirpation of Western Monarch populations. Tree planting is unlikely to be sufficient to mitigate loss of suitable trees for Monarch overwintering to a less-than-significant level. Loss of mature trees used by monarch butterflies for over-wintering will cause temporal loss of over-wintering habitat until replacement trees grow to a mature size and assumes Monarchs would utilize replacement trees.

Evidence the impact would be significant: The data gathered from the Western Monarch Thanksgiving Count show that western overwintering monarchs are at an all-time critical low level and have significantly declined to approximately two percent of their numbers since 1997 (Xerces Society Western Monarch Thanksgiving Count, 2019). The decrease in Western Monarch butterflies may be due to the loss of overwintering habitat and loss of its host plant (milkweed) (Pelton et al. 2019). According to the Xerces Society, "Western monarchs use the same sites each year, even the same trees, and need intact overwintering habitat, which provides a very specific microclimate and protection from winter storms," (Xerces Society, 2020).

Recommendations to minimize significant impacts: CDFW recommends the Project be planned to avoid removal of trees used by Western Monarchs for over-wintering.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form, online field survey form, and contact information for CNDDDB staff can be found at the following link: <https://wildlife.ca.gov/data/CNDDDB/submitting-data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, section 711.4; Pub. Resources Code, section 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

Ms. Erika Carpenter
University of California, Santa Cruz
March 1, 2021
Page 5 of 5

Thank you for the opportunity to comment on the Project's draft EIR. If you have any questions regarding this letter or for further coordination with CDFW, please contact Mr. Wesley Stokes, Senior Environmental Scientist (Supervisory), at (707) 339-6066 or wesley.stokes@wildlife.ca.gov; or Mr. Craig Weightman, Environmental Program Manager, at craig.weightman@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4E936804EA
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse
Sean Cochran, CDFW Region 3 – sean.cochran@wildlife.ca.gov

REFERENCES

- Pelton, E. M., Schultz, C. B., Jepsen, S. J., Black, S. H., and Crone, E. E. (2019). Western Monarch Population Plummet: Status, Probable Causes, and Recommended Conservation Actions. *Frontiers in Ecology and Evolution*. 7:258.
- Xerces Society Western Monarch Thanksgiving Count (2019). Western Monarch Thanksgiving Count Data from 1997–2018. Available online at: www.westernmonarchcount.org
- Xerces Society (2020). <https://xerces.org/press/western-monarch-butterfly-population-still-at-critical-level>. Accessed January 5, 2021.